

REMARKS

This is in response to the Office Action dated 05/13/2005, to which a response is due Monday, 08/15/2005.

1. No Fee for Claims

Enclosed please find form PTO/SB/06, PATENT APPLICATION FEE DETERMINATION RECORD, which lists the status of the claims and calculates the total additional fees as being \$0.

In the event any fee for claims is required, please charge such fee to the undersigned's deposit account, 04-0039 (ref. 50596.1).

2. Entry of this AMENDMENT

The revisions of amended independent claim 1 and the components of newly added dependent claims 7/1, 8/7, 9/8 and 10/8 are supported by Figures 1-8 and the associated descriptions in the specification. Regarding the features newly specified in claim 1, a corrugated pipe is depicted in Figs. 1, 2, 4, 6 and 8; cuffs embedding pipes are depicted in Figs. 1, 2 and 4-6; cuff shoulders (see reference numeral 39) are depicted in Figs. 1, 2, 4 and 6; and a tongue and a groove are specifically depicted in Figs. 2, 4 and 5.

The fastening means described in amended independent claim 1 and in newly added dependent claims 7-10 are depicted in Figs. 1-4, 6 and 7; and are described in the specification, at page 5, line 9 through page 6, line 16 and at page 7, lines 5-17. The associated joining process is described at page 6, line 17 through page 7, line 10.

The listed figures and text are by way of example and are not intended to be exclusive.

Page 1, line 4 of the specification and claim 6 are revised as required by the examiner; the changes are editorial.

No new matter is involved in the above changes. Entry of the changes and of this AMENDMENT are requested.

3. Response to Office Action, including to Objections and Rejections

a. Objection to Specification

In the Office Action the examiner objected to the reference at page 1 of the specification to the provisional application. This reference has been corrected. Withdrawal of the objection is requested.

b. Objection to Claim 6

The Office Action objected to “informalities” in claim 6, noting that correction required changing the phrase “assembling a first hoop and a second hoop around the first pipe end and the second pipe end adjacent the shoulders thereof” to the wording “assembling a first hoop around the first pipe end adjacent the shoulder of the first cuff and a second hoop around the second pipe end adjacent the shoulder of the second cuff.” This change is made by this AMENDMENT. Reconsideration and withdrawal of the informalities-based objection to claim 6 are requested.

c. Rejection of Claims 1 and 2 under 35 U.S.C. 102

The Office Action rejected Claims 1 and 2/1 as being anticipated by Kanao (US 5,429,397). Claim 2/1 is canceled and the rejection is moot.

As amended, independent claim 1 specifies integral plastic cuffs along the periphery of the first and second pipe ends which embed the pipe ends, comprise shoulders and form a tongue and groove joint; and fastening means abutting the shoulders for drawing the first and second pipe ends together axially and sealing the pipe ends along the tongue and groove joint. The combination of a pipe assembly which includes these components and functions is not taught or suggested by the '397 patent. Reconsideration of and withdrawal of the rejection of claim 1 based upon the '397 patent are requested; allowance of claim 1 is requested.

d. Allowable Subject Matter

The Office Action allowed claims 3-5. Also, claim 6 was objected to, but in the present Office Action the examiner indicated claim 6 would be allowable if rewritten to overcome the objections. As shown and discussed above, claim 6 has been rewritten as suggested by the examiner.

4. New Claims 7-10

New dependent claims 7/1, 8/7, 9/8 and 10/8 add additional components of the fastening means set forth in claim 1, that is, hoops and axially acting bolts (claim 7/1); gapped hoops and joining means (claim 8/7); welds as the joining means (claim 9/8); and joining means in the form of loops and bolts for tightening the hoops to the pipes (claim 10/8). Claim 7/1, 8/7, 9/8 and 10/8 thus patentably distinguish over the '397 patent for the reasons described above regarding claim 1 and additionally because of the specifics which are added by these claim to the unique combination of base claim 1 and the other, underlying claims . Consideration and allowance of claims 7-10 are requested.

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Examiner: James M. Hewitt, Art Unit 3679

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Dated: 06/16/2005
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5. Summary and Action Requested

Entry of this AMENDMENT is requested. Reconsideration of and withdrawal of the objection to the page 1 reference to the provisional application are requested, in view of the revision of that reference. Reconsideration of and withdrawal of the objections to claim 6 are requested, in view of the revision of claim 6. Allowance of amended claim 6 is requested. Reconsideration of and withdrawal of the rejections of claim 1 are requested, in view of the revisions and the above discussion. Allowance of amended claim 1 is requested.

Claim 2/1 is canceled without prejudice, rendering the rejection thereof moot and withdrawal of said rejection is requested.

Allowance of new claims 7/1, 8/7, 9/8 and 10/8 is requested.

If it appears the undersigned has misunderstood any aspect of the Office Action, the examiner is invited to telephone the undersigned at the telephone number listed below, so that the misunderstanding can be corrected

Respectfully submitted,
LAW OFFICE OF PHILIP A. DALTON

Date: June 16, 2005

By Philip A. Dalton 6/16/05
Philip A. Dalton
Attorney Registration #26859

Correspondence:
236 West Portal Ave., #15
San Francisco, CA 94127-1423
Tel: 415.505.0716 or 415.664.1000
Fax: 415.664.1001